

# **APPENDIX A-8:**

# **NOXIOUS WEEDS**

This appendix is referenced in the introductory paragraphs of Section 3.3, *Management by Land Use*

- Dalmatian toadflax ( *Linaria dalmatica* )
- Dodder ( *Cuscuta pentagona* )
- Diffuse knapweed ( *Centaurea diffusa* )
- Hoary cress ( *Cardaria draba* )
- Johnsongrass ( *Sorghum halepense* )
- Jointed goatgrass ( *Aegilops cylindrica* )
- Kochia ( *Kochia scoparia* )
- Musk thistle ( *Carduus nutans* )
- Puncturevine ( *Tribulus terrestris* )
- Poison hemlock ( *Conium maculatum* )
- Quackgrass ( *Agropyron repens* )
- Ragweed ( *Ambrosia artemisiifolia* )
- Russian knapweed ( *Acroptilon repens* )
- Scotch thistle ( *Onopordum acanthium* )
- St. Johnswort ( *Hypericum perforatum* )
- Yellow statistle ( *Centaurea solstitialis* )

## WEED CONTROL ORDINANCE

### 1.0 PURPOSE

The purpose of this ordinance is to implement the provisions of ORS 570.535, so that each person, firm or corporation owning or occupying land within the Umatilla County Weed Control District will destroy or prevent the seeding on such land of any Noxious Weed, in a timely manner and by the use of the best means at hand, and that no Noxious Weed will be permitted to produce seed.

### 2.0 DEFINITIONS

2.1 Board - Umatilla County Weed Control Board.

2.2 Commissioners - Umatilla County Board of Commissioners.

2.3 District - Umatilla County Weed Control District

2.4 Employee - Any employee or designee of the Umatilla County Weed Control Office, including Board members, supervisor, office staff, field inspectors and qualified volunteers.

2.5 Noxious Weed - A weed declared to be noxious by the Commissioners and adopted by order.

2.6 Oregon State Law - The provisions of ORS 570.505 through 570.600, including any amendments, and any other statutes that regulate and control Noxious Weeds.

2.7 Owner - Owner includes any person, firm or corporation owning or occupying land with the Umatilla County Weed Control District.

### 3.0 NONCOMPLIANCE

It is the responsibility of the weed inspector and Employees to find out if any Noxious Weeds are being permitted to grow and produce bloom or seed within the District, contrary to the provisions of Oregon state law. Ongoing surveying and inventorying will be used to locate Noxious Weeds.

#### 4.0 NOXIOUS WEED

4.1 A weed will be determined to be noxious by order of the Commissioners. The decision will be made using all available current information.

4.2 One or more of the following characteristics may be considered noxious:

- A. Plant spreads very rapidly and produces large quantities of seed;
- B. Difficulty in eradication, due to ability to grow from tiny pieces of root;
- C. Allelopathy, or ability to produce toxic chemicals in roots that suppress other plants;
- D. No value to humans as food, livestock forage, wildlife forage, medicinal, and may be poisonous or harmful to humans or livestock;
- E. Introduced species, not native to the area, with little or no natural biological enemies to limit growth.

4.3 A notice of a list of Noxious Weeds will be published in the manner prescribed by Oregon State Law, prior to enforcement of the order.

#### 5.0 NOTICE TO OWNER

5.1 When an Employee has documented, and has a complete file, that a Noxious Weed is present on land, a written notice pursuant to ORS 570.530 will be served on the owner or occupant of the land.

5.2 The records of the Umatilla County Assessor may be a source of locating the name and the address of the Owner.

5.3 If it appears that the occupant is not the title record holder of the land, notice will also be sent to the title record holder using the last known address determined by the Umatilla County Assessor.

5.4 The notice will be served as provided by law under ORS

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570.530.

5.5 The notice will contain the information required by law, and also the following: (1) Property description; (2) Address of property; (3) Name of owner and occupant; (4) Location of Noxious Weeds on property; (5) Name of inspector; (6) Signature of Employee authoring notice; (7) Notice number.

5.6 Affidavit of service or posting of notice will be completed by Employee.

5.7 The time period for compliance by Owner will from 2 to 20 days, unless a seed set or dispersal is imminent, in which case 48 hours will be given to destroy Noxious Weed or prevent seed.

5.8 After the time period has elapsed, Employee will verify if action has been taken by Owner.

#### 6.0 ENFORCEMENT

If the Owner fails to take action required of the notice, then enforcement action will be taken as provided by Oregon State Law, including judicial action by county district attorney, and abatement by Umatilla County or Oregon State Department of Agriculture.

#### 7.0 JUDICIAL ENFORCEMENT

7.1 Judicial enforcement of a violation will be conducted as provided by ORS Chapter 153.

7.2 Violation of ORS 570.515 to 570.600 is a Class A violation.

7.3 A fine up to \$600.00 may also be assessed against any owner in violation of this ordinance or Oregon State Law.

#### 8.0 CONTROL ACTION

8.1 The decision to take control action will be made by the Commissioners.

8.2 The Commissioners may authorize an Employee to go on the land or premises and destroy the noxious weed or control the weed in such a manner to destroy all seeds of each noxious weed.

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8.3 Prior to taking control action, an Employee may notify the Owner of the intent the day or evening prior to control measures being undertaken.

8.4 The cost of the control action will be filed and billed as set out in ORS 570.550 and 570.555, or as otherwise provided by Oregon State Law, and if entered in the county lien docket, will constitute a first lien on the property (except for property taxes).

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